

**Nassau County Department of Social Services
Special Investigations Unit
Corrective Action Plan**

	RECOMMENDED ACTION	REPORT AUDIT NUMBER	IMPLEMENTATION STATUS
1	DSS should evaluate and ensure that staffing levels are adequate to meet the needs of the state and federally-mandated functions.	1	The Agency was severely impacted by an Early Retirement Incentive in the fall of 2002 that produced twice the number of retirements anticipated: 70 versus 35. As a result, Agency wide reorganizations were implemented to insure the most efficient use of personnel. As a result, there was, in the short term, a learning curve experience for reassigned line workers and supervisors. This was especially the case in the Special Investigations Unit. At the time of the Audit, the unit had a total of seven employees, with 1.5 of this number performing field investigations. The total number of staff is now 10.5. In January 2003, two (2) experienced Temporary Assistance Social Welfare Examiners were transferred to the unit and one (1) experienced Investigator returned from sick leave in April 2003. In early 2004, part-time workers were hired. Field staff now equals 5.5; desk audit staff equals 4. The additional staff has allowed the unit to reorganize and address mandated tasks. A proposal is under consideration that will fund additional investigators to be assigned to the Office of the Commissioner of Investigations.
2	DSS should merge all anti-fraud detection and prevention efforts under a Chief Investigator, as recommended by the NYS Welfare Inspector General. This individual should possess a credible background in investigations. Once hired, this Chief Investigator should assess the strength of the current staff's investigative skills, the need for hiring experienced investigators and the best way to accomplish this.	2	The Department has traditionally used Social Welfare Examiner Supervisors and Assistant Directors with years of eligibility experience to oversee this unit. As an alternative to the current setup, a proposal is under consideration that will place responsibility of the Investigations Unit under the Office of the Commissioner of Investigations.
3	The Department should ensure it has staff appropriate to the task of managing its field investigations and prosecutorial procedures, and numerous statewide program integrity initiatives.	2	Refer to Department response for Report Comment #1.
4	The supervision of the Unit should be segregated from all benefit programs and report directly to the Commissioner.	3	Prior to the Early Retirement Incentive Program in September 2002, the unit was under the direction of a Chief Social Welfare Examiner Supervisor who reported directly to the Commissioner. The Social Welfare Examiner Supervisor III now administratively responsible for this unit reports directly to the Commissioner on investigative issues. In addition, an administrative committee presently meets with the Commissioner periodically to discuss the operation of the unit. As noted above in Department response to Report Comment #1 and Report Comment #2, a proposal is under consideration that will place administrative responsibility of this unit under the Office of the Commissioner of Investigations.
5 6	a) All Unit employees should attend the NYS Welfare Fraud Investigator training programs. b) All Unit employees should be trained in fraud detection methods and the goals of the various state programs.	4	Staff are trained Social Welfare Examiners with experience in program eligibility. Every new investigator has been trained by a seasoned investigator --- trailing, buddy system, and supervisory review. Each worker has also participated in formal training, including the NYS Welfare Fraud Investigator Training given in part by the NYS Police Academy, the District Attorney's Office, the State Welfare Inspector General, and the NYS Division of Probation and Correctional Alternatives. The Unit has also received periodic training from NYS Office of Temporary and Disability Assistance QA Fraud Section and Program Integrity. Staff is scheduled to attend FEDS Regional Training given by Rockefeller College on August 18, 2004. In-service training is a continuing process.
7	c) Procedural manuals should be updated and expanded to include sections on each state-sponsored fraud detection and prevention program.	4	The procedural manuals continue to be updated as necessary.
8	a) The unit should evaluate whether field visits should be performed in teams of two for safety reasons.	5	Should additional resources become available, a policy will be developed for team assignments. In those instances when employee safety and security is in question, police backup is requested.

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9	b) Field investigators should be equipped with communication devices such as cell phones and walkie-talkies. They should also be issued an investigator's ID or shield to present during field investigations.	5	The Department will explore with County IT the availability of cell phones for employees who do not have their own. All employees are issued standard Department photo IDs.
10	c) In an effort to prevent offenders from collecting benefits, the Unit should coordinate with law enforcement authorities a procedure to investigate clients for outstanding warrants prior to making field visits. Consideration should be given to entering into a new MOU with the Sheriff's Department.	5	The sheriff does not have resources available to devote to Fraud Investigations. The Department currently clears clients for outstanding warrants prior to making field visits and in the ongoing process of establishing and maintaining eligibility
11	The Department, in an effort to encourage the public to provide more information about potential fraud, should: a) Reactivate, and include on the DSS Web site, the 7 day, 24-hour fraud reporting hotline at the Special Investigation Unit, to encourage over one million Nassau County residents to report fraud.	6	The telephone number was inadvertently deleted, but has since been included on the Department's website. It must be noted that the Unit currently receives a significant number of complaints and fully investigates all allegations.
12	b) Obtain NYS-DOH Medicaid fraud posters to help make the public aware of program fraud, and where and how to report it. These posters should be strategically placed throughout the county, especially within DSS, health clinics and other public facilities.		The Department has recently requested a new supply of NYSDOH Medicaid fraud posters. Such posters are already posted throughout the County, but a new effort to increase awareness of fraud will be conducted.
13	To address the SIU's investigative deficiencies, the Department should hire professionally trained investigative staff and retrain the existing staff in how to effectively perform and document fraud investigations. All case files should be reviewed by supervisors to ensure that the files include complete documentation and that proper conclusions are reached.	7	As previously noted, existing staff has received proper training, and will attend additional sessions as they are offered. A proposal is under consideration to add Investigators to the Office of the Commissioner of Investigations. Special Investigation reports are completed on a standardized form in accordance with set guidelines. The unit has a 98% affirmation rate in Fair Hearings. We recently met with the District Attorney's office in an effort to improve the collaboration between Departments. The Chief Assistant District Attorney has assigned an ADA and an investigator to work solely with us in investigating and prosecuting welfare fraud. Since January 1, 2004, 33 cases have been investigated, documented and referred to the DA resulting in seven (7) arrests to date. The remainder is still being processed.
14	PARIS reports should be investigated in a timely manner, with investigation procedures and conclusions documented to support action taken on cases.	8	We have been in complete compliance with this program since its inception. Our timeliness has improved, and, as of June 2004, we are current. One Social Welfare Examiner I is dedicated to processing the PARIS reports. The 19th PARIS Match, dated March 2004, identified 242 cases that required investigation: 123 cases did not require negative action and 119 cases were either closed or reduced. Total cost avoidance for Temporary Assistance and Medicaid for the period was \$80,229.00. Figure represents cost avoidance for closings and reductions as a result of determining that individuals were ineligible for assistance in NYS because they are in receipt of assistance in another state.
15	a) Fugitive felon matches should be investigated promptly.	9	We are 100% in compliance with this program since December 2003. The return of our Welfare Examiner II, previously out on disability until April 2003, allowed us to regain our footing.
16	b) Procedures for law enforcement verification of warrants should be established, implemented and enforced.		Procedures are in place to insure that cases are closed due to outstanding warrants. Clients are held for arrest if "owning" jurisdiction will extradite. In 2003, 85 individuals were processed, resulting in 31 closings and 5 case reductions. Savings totaled \$50,886.
17	c) Case file documentation should support actions taken on cases.		Case file documentation for this area is routinely filed in the SIU where it remains secure and confidential.

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18	a) Written procedures should be developed for the investigation of AFIS reports.	10	All reports are now completed on a timely basis and in accordance with written procedures, with exception of the WMS BATCH update. According to the State there are still modifications in the coding system that must be implemented before
19	b) The Department should fully participate in assuring the quality and integrity of the statewide AFIS finger-imaging program by resolving reported issues promptly.	10	counties can resolve the Medicaid portion. The Aging Status Report has been reduced from 396 cases to 19. The WMS Reconciliation Report and the Match Resolution File are presently timely. All "hits" have been data errors (i.e., incorrect demographic information, data entry "typos", etc.). Formal training was given to all SIU personnel by the State on March 18, 2003 and February 9 and 10, 2004. Policies and procedures were delineated at that time. Please refer to the previous audit report issued by your office. Furthermore in April 2004, the State trained the contract operators on supervisory functions in the AFIS application. In August 2004 Sagem-Morpho, monitoring their progress, reported that they have eliminated a considerable amount of matches due to administrative error, therefore reducing the workload for the Fraud Unit.
20	DSS should ensure that both the written procedures and the Unit's actions are in compliance with 18 NYCRR § 348.7 (a).	11	The Department has made significant progress in this area. FEDS and EVR investigations are completed by 5.5 field investigators based on Safety Net applications and referrals from New Applications staff and eligibility workers during initial interviews. During 2003, 1,851 investigations were completed (1470 TA, 210 FS, 61 MA, 109 DC, 1 HEAP). Of those, the SIU recommended that 916 be denied, closed or reduced. 935 cases were found to be correct and eligible. Cost avoidance was estimated to be \$230,000 by the State of New York. All procedures and actions are in compliance with State regulations.
21	a. The Department should utilize the Comptroller's bi-weekly time sheet (Form 3024) designed for efficient recording of employee time and a certification of its validity. The recording of employee time by pay period is more efficient than 10 separate daily records.	12	The SIU, like all other units within the Department of Social Services, utilizes the Comptroller's bi-weekly time sheet. However, the time sheet is completed by each unit's clerk from information on the daily sign-in sheets, which have been reviewed and approved by unit supervisors daily. At no time is a DSS time sheet (DSS-1946) utilized or submitted for overtime. Only by completing a GS 500-A (Request and Authorization to Work Overtime), which requires both a supervisor's and a director's signature, can an employee be compensated for overtime.
22	b. Timekeeping procedures for field workers should be promulgated and implemented.	12	Workers who have field responsibilities are expected to make their visits during the morning hours. Each is assigned to a general geographic area. Investigators take 5 to 6 appointments and 10 unannounced visits with them. They are expected to complete all of the former and as many of the latter as time permits (many clients are not at home; some visits take longer than others, travel time varies, etc.) and to return to the office no later than 2 PM. There are exceptions to this rule, should the circumstances of an individual recommendation warrant such.
23	c. Time sheets should record time actually worked, and should not be prematurely completed.		Workers sign in at 9 AM for the following day. This clarifies (along with individual field logs) that a worker intends to be in the field the next day (as opposed to taking the day off). Workers are expected to have their lunch hours prior to returning to the office at 2 PM. Their individual field logs indicate the clients they actually saw that morning.
24	d. Examiners should return to the office upon completion of their last interview, rather than at 2PM.		
25	a. The field logs should contain the examiner's start time, travel and interview times as well as the time returned to the office. A supervisor should review these logs to determine whether examiners are making efficient use of their time.	13	Tighter controls of worker's use of field time have been implemented. We require workers to keep a record while in the field of start time, travel times, and lengths of interviews. Periodically and randomly, the supervisor will review and evaluate these logs for efficient use of field time.
26	b. Information obtained from field visits should be entered into field logs while in the field to ensure complete and correct documentation.		